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BEFORE THE

Federal Communications Commission

WASHINGTON, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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In the Matter of

Amendment of Section 73.202(b)
Table of Allotments
FM Broadcast Stations
(Arthur, North Dakota)

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MM Docket No. _____
RM - _____

To: Chief, Allocations Branch

PETITION FOR RULE MAKING

Vision Media Incorporated ("Vision"), licensee of station KVMI, Channel 244A, Arthur, North Dakota, hereby petitions the Commission to amend Section 73.202(b) of its rules, FM Table of Allotments, to substitute Channel 280A for Channel 244A at Arthur, and to modify the license of station KVMI accordingly.

As shown in the attached engineering statement, station KVMI is short-spaced by 1.37 km co-channel station KQZZ, Devils Lake, North Dakota, which operates on Channel 244C2. That station, as well as two others, consistently cause interference within station KVMI's normally protected 60 dBu contour. This interference apparently is caused by a terrain anomaly beyond the normal 3- to -16 km range employed by the Commission in calculating contour distances. Vision's engineer has provided a Longley-Rice study which shows interference in an area of 297.2 sq. km with a

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population of 552 persons. This represents 12% of the area and 8.3% of the population within KVMI's normally protected 60 dBu contour.

The proposed channel 280A assignment is fully spaced to other allotments at the current KVMI transmitter site at 47-05-42 north, 97-18-01 west. Substituting Channel 280A for Channel 244A would eliminate not only the interference shown in the Longley-Rice study, but also the existing 1.37 km short spacing to KQZZ.

The Commission may substitute a non-adjacent channel for an equivalent channel without accepting competing expressions of interest because no upgrade is involved. See *Osceola and Sedalia, Missouri*, 14 FCC Rcd 17121 (NPRM) (1999) and *Tawas City, Michigan*, 9 FCC Rcd 4794 (1994), *recon denied*, 10 FCC Rcd 6108 (1995). It is therefore requested that the Commission state in its Notice of Proposed Rule Making that no competing expressions of interest for Channel 280A will be accepted.

Should the Commission substitute Channel 280A for Channel 244A at Arthur, North Dakota, as proposed, Vision will file the requisite application to modify the license for station KVMI accordingly and will operate on the new channel.

WHEREFORE, these matters considered, it is respectfully requested that the Commission (1) amend Section 73.202(b) of its rules, FM Table of Allotments, by

substituting Channel 280A for Channel 244A at Arthur, North Dakota and (2) modify the license of station KVMI to specify operation on Channel 280A.

Respectively submitted,

VISION MEDIA INCORPORATED

By: _____


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Its Attorney

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December 4, 2000

ENGINEERING STATEMENT

In Support of a Petition to Amend §73.202(b)

The office of Munn-Reese, Inc. has been retained to prepare this engineering statement in support of a petition to amend 47 C.F.R. Section 73.202(b), the FM Table of Allotments.

It is proposed to amend the Table of Allotments to substitute Channel 280A, 103.9 MHz, for Channel 244A, 96.7 MHz, at Arthur, ND and reserve its use for the licensee of KVMI. The present KVMI site coordinates are NL 47° 05' 42", WL 97° 18' 01". The currently licensed KVMI transmitter site will serve as the special reference point for the Channel 280A operation. A change of frequency would eliminate a short-spacing with co-channel station KQZZ, Devils Lake, ND operating as a Class C2 facility. Operation on Channel 280A from the special reference site would be fully spaced. This petition is also being requested to eliminate observed and documented signal interference within the protected 60 dBu service contour of the Channel 244A operation.

Data contained in this report is responsive to the requirements of the Rules, as amended.

Figure 1 is a pertinent portion of the V-Soft™ Communications, FMContours™ spacing allocation study for the present channel. As shown, the KVMI licensed site is short-spaced to KQZZ, Devils Lake, ND, by 1.37 kilometers.

The KVMI licensee has been consistently receiving interference complaints within its normally protected 60 dBu contour. It is felt that some sort of terrain anomaly must exist beyond the normal 3-16 kilometer range employed by FCC calculations for determining contour distances. The licensee of KVMI has requested this firm to conduct interference/population studies based on the Longley-Rice propagation model to see if the problem can be duplicated. **Figure 2** is a Probe II™ map depicting this interference and the relevant sources. Antenna reception height has been based on 1.5 meters or the average antenna height of an automobile antenna. **Figure 2A** is a tabulation of the area and population affected by the interference. A total population of 6,658 persons resides in the KVMI 60 dBu protected contour, which covers an area of 2,476.2 km². The interference calculation shows that within the 60 dBu contour, a total of 552 persons (8.3%) of the persons within a 297.2 km² (12.0%) area receive interference from three different stations.

Figure 3 is the pertinent portion of the V-Soft™ Communications, FMContours™ spacing allocation study for the alternate Channel 280A. **Figure 4** is an InterDLG™ map showing the Channel 280A open area and reference site. Channel 280A will be fully spaced from the present KVMI transmitter site.

It is requested that 47 C.F.R. §73.202(b) be amended as follows:

<u>City, State</u>	<u>Present</u>	<u>Proposed</u>
Arthur, ND	244A	280A

CERTIFICATION OF ENGINEERS

The firm of Munn-Reese, Inc., Broadcast Engineering Consultants, with offices at 100 Airport Drive, Coldwater, Michigan, has been retained for the purpose of preparing the technical data forming this report.

The data utilized in this report was taken from the FCC Secondary Database and data on file. While this information is believed accurate, errors or omissions in the database and file data are possible. This firm may not be held liable for damages as a result of such data errors or omissions.

The report has been prepared by properly trained electronics specialists under the direction of the undersigned whose qualifications are a matter of record before the Federal Communications Commission.

I declare under penalty of perjury that the contents of this report are true and accurate to the best of my knowledge and belief.

November 22, 2000

MUNN-REESE, INC.

By Wayne S. Reese
Wayne S. Reese, President

By Justin W. Asher
Justin W. Asher, Project Engineer

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MUNN-REESE, INC.
Broadcast Engineering Consultants
Coldwater, MI 49036

FIGURE 1

TABULATION OF PRESENT CHANNEL 244A SPACINGS

REFERENCE		CLASS = A		DISPLAY DATES			
47 05 42 N		Current	Spacings	DATA	11-18-00		
97 18 01 W				SEARCH	11-21-00		
----- Channel 244 - 96.7 MHz -----							
Call	Channel	Location	Dist	Azi	FCC	Margin	
N. Lat.	W. Lng.	Power	HAAT				
KVMI	LIC 244A	Arthur	ND	0.00	0.0	115.0	-115.00
47 05 42	97 18 01	CN	5.000 kW	110 M			
	Vision Media Incorporated,		BLH19940426KW				
KQZZ	LIC 244C2	Devils Lake	ND	164.63	307.4	166.0	-1.37
47 58 49	99 03 11	CN	38.000 kW	171 M			
	Two Rivers Broadcasting, I		BLH19960906KA				
KKCQFM	LIC 244C3	Bagley	MN	144.59	66.3	142.0	2.59
47 36 08	95 32 18	CN	25.000 kW	100 M			
	Pine To Prairie Broadcasti		BLH19971006KH				
KJJKFM	LIC 243C1	Fergus Falls	MN	138.34	132.7	133.0	5.34
46 14 43	95 58 46	CN	100.000 kW	171 M			
	Result Radio, Inc.		BLH19811103AE				
KYCK	LIC 246C1	Crookston	MN	88.59	24.0	75.0	13.59
47 49 17	96 49 03	CN	100.000 kW	110 M			
	Ss Broadcasting, Inc.		BLH19800303AA				
KQHT	LIC 241C1	Crookston	MN	90.36	22.4	75.0	15.36
47 50 43	96 50 22	CN	100.000 kW	126 M			
	Citicasters Company		BLH19850913KA				
AL244	VAC 244B	Steinbach	MB	274.91	9.3	210.0	64.91
49 32 00	96 41 00	N	50.000 kW	150 M			
R---	244C1	Steinbach	MB	268.98	4.9	200.0	68.98
49 30 17	96 58 58		100.000 kW	299 M			
KDLOFM	LIC 245C	Watertown	SD	237.72	185.5	165.0	72.72
44 57 57	97 35 22	CN	100.000 kW	479 M			
	Sorenson Broadcasting Corp		BLH19790226AB				
KJKJ	LIC 298C1	Grand Forks	ND	98.79	11.8	22.0	76.79
47 57 52	97 01 46	CN	100.000 kW	139 M			
	Citicasters Company		BLH19980518KB				
R---	244B	Steinbach	MB	274.97	9.3	178.0	96.97
49 32 00	96 41 00		50.000 kW	150 M			

KVMI

BLH19940426KW
 Latitude: 47-05-42 N
 Longitude: 097-18-01 W
 Power: 5.00 kW
 Channel: 244
 Frequency: 96.7 MHz
 AMSL Height: 424.0 m
 Elevation: 314.0 m
 Horiz. Pattern: Omni
 Vert. Pattern: No
 Prop Model: Longley/Rice
 Climate: Cont temperate
 Conductivity: 0.0050
 Dielec Const: 15.0
 Refractivity: 311.0
 Receiver Ht AG: 1.5 m
 Receiver Gain: 0 dB
 Time Variability: 50.0%
 Sit. Variability: 50.0%
 ITM Mode: Broadcast

⊗	KVMI
□	KQHT
■	KJJKFM
■	KKCQFM
□	KYCK
■	KQZZ

FIGURE 2

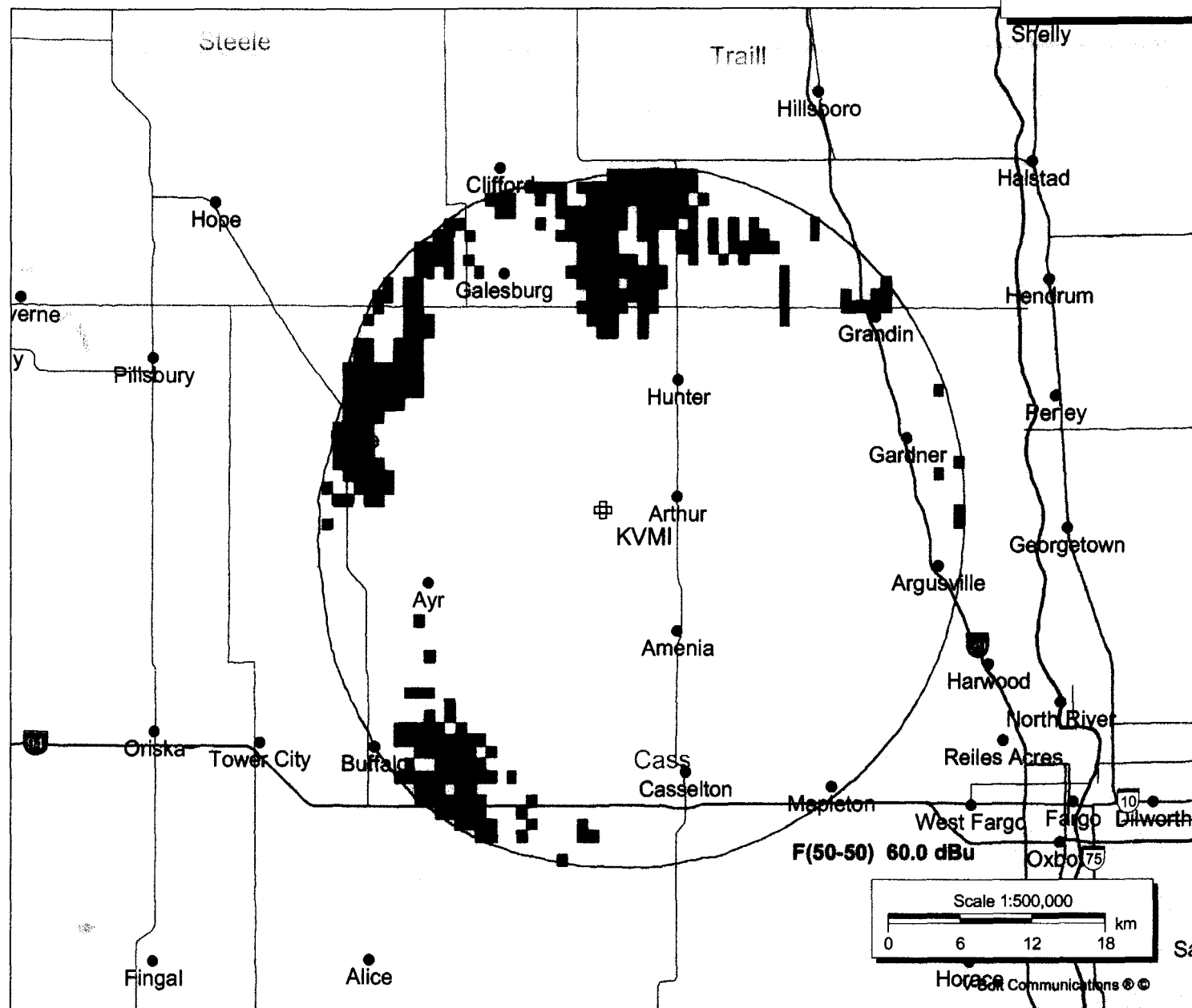


FIGURE 2A

TABULATION OF POPULATION INTERFERENCE

V-Soft Communications Population Report

KVMI (244) Arthur, ND

FM Interference Study

Interference considered within reference station's 60.0 dBu contour
and within 150.0 km from each possible interferer

Signal Resolution: 1 km

Study Date: 11/08/2000

Stations which cause interference:

Call Letters	H Units	Population	%	Area (sq. km)
KJJKFM (243)	22	55	0.826	65.26
KKCQFM (244)	60	164	2.463	142.04
KQZZ (244)	174	337	5.062	94.85

Stations considered which do not cause interference:

KQHT (241)

KYCK (246)

Call Letters	City	State	Dist	Bear
KQHT (241)	Crookston	MN	90.4	22.4
KJJKFM (243)	Fergus Falls	MN	138.3	132.6
KKCQFM (244)	Bagley	MN	144.6	66.4
KYCK (246)	Crookston	MN	88.6	24.1
KQZZ (244)	Devils Lake	ND	164.6	307.4

Totals for KVMI (244)

Calculation Area Population:	6,658	(2476.2 sq. km)
Not Affected by Terrain Loss:	6,658	(2476.2 sq. km)
Interfered Population:	552	(297.2 sq. km)
Interference Free:	6,106	(2179.0 sq. km)

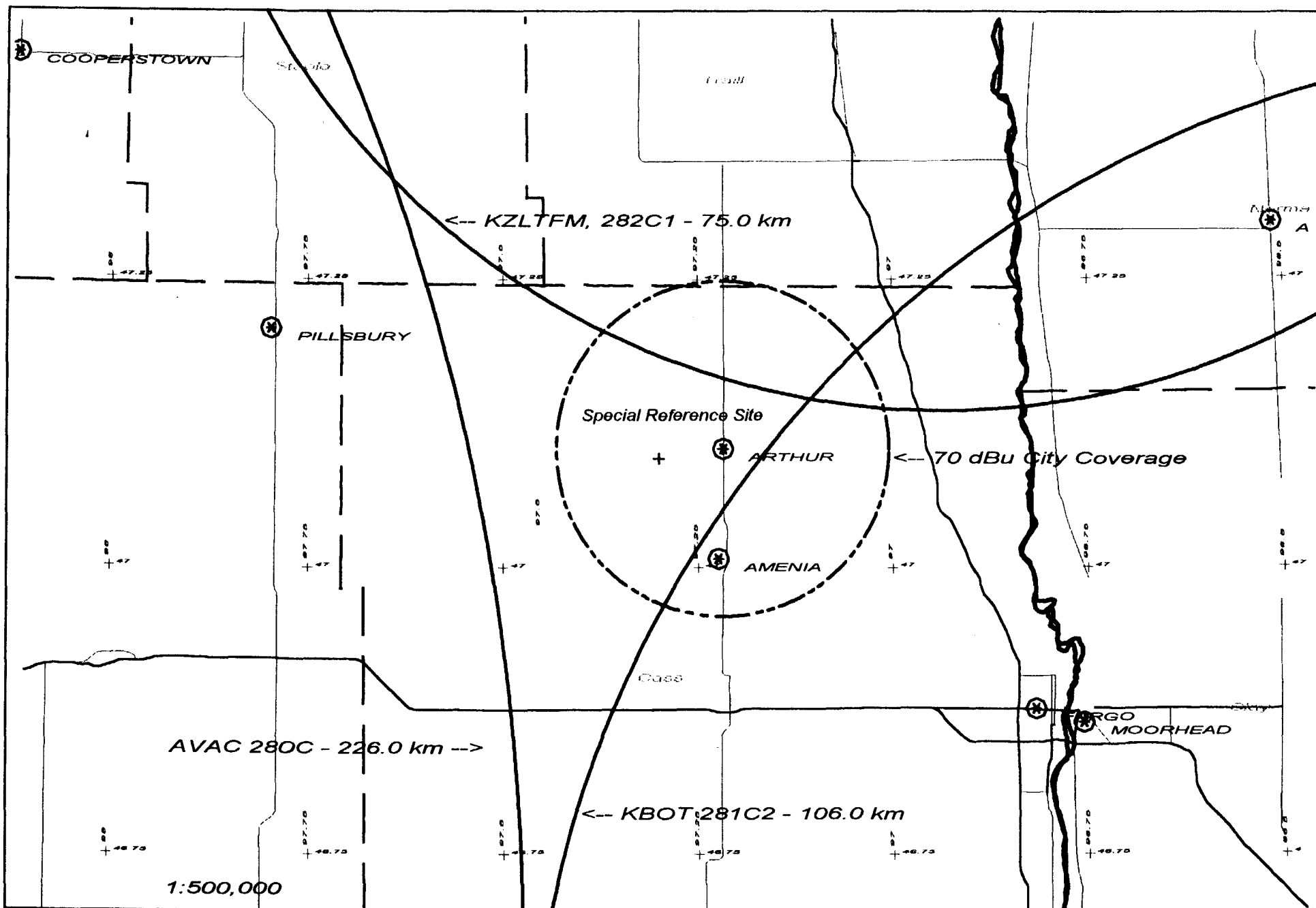
Percent Interference:	8.29
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Terrain Blocked Population:	0	(0.0 sq. km)
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FIGURE 3 **TABULATION OF ALTERNATE CHANNEL 280A SPACINGS**

REFERENCE							DISPLAY DATES	
47 05 42 N		CLASS = A					DATA	11-18-00
97 18 01 W		Current Spacings					SEARCH	11-21-00
----- Channel 280 - 103.9 MHz -----								
Call	Channel	Location	Dist	Azi	FCC	Margin		
N. Lat.	W. Lng.	Power	HAAT					

KBOT	LIC 281C2	Pelican Rapids	MN	113.93	125.2	106.0	7.93	
46 29 57	96 05 10	CN	50.000 kW	150 M				
Washington Radio, Inc,		BLH19940711KB						
KZLTFM	LIC 282C1	East Grand Forks	MN	84.30	19.2	75.0	9.30	
47 48 37	96 55 46	CN	100.000 kW	135 M				
Krad, Inc.		BLH19860602KG						
AVAC	VAC 280C	Hazelton	ND	243.90	259.0	226.0	17.90	
46 38 05	100 25 40	N	100.000 kW	600 M				
KZCR	LIC 277C1	Fergus Falls	MN	109.25	129.3	75.0	34.25	
46 28 06	96 11 54	CN	100.000 kW	198 M				
Result Radio, Inc		BLH19811005AH						
KKBJFM	LIC 279C1	Bemidji	MN	195.75	73.9	133.0	62.75	
47 33 21	94 48 04	C	100.000 kW	139 M				
R.p. Broadcasting		BLH20000607ACL						
KKBJFM	LIC 279C1	Bemidji	MN	195.84	73.9	133.0	62.84	
47 33 19	94 47 59	CN	100.000 kW	140 M				
R.p. Broadcasting		BLH19830929AD						
KZZY	LIC 278C1	Devils Lake	ND	159.17	309.4	75.0	84.17	
47 59 28	98 56 57	CN	100.000 kW	150 M				
Double Z Broadcasting, Inc		BLH19840406DT						
KSJZ	LIC 227C1	Jamestown	ND	111.61	254.4	22.0	89.61	
46 49 03	98 42 34	CN	57.000 kW	78 M				
Chesterman Communications,		BLH19881201KA						
KZZY.C	CP 278C1	Devils Lake	ND	164.63	307.4	75.0	89.63	
47 58 49	99 03 11	CN	100.000 kW	138 M				
Double Z Broadcasting, Inc		BPH19980417IF						



Alternate Channel 280A Open Area
N. Lat. 47 05 42 W. Lng. 97 18 01

FIGURE 4
Munn-Reese, Inc. - 11/00